

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND 2015 OCT -8 PM 3:23

UNITED STATES OF AMERICA

v.

KEITH COOK

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CLERK'S OFFICE  
AT BALTIMORE

\* Criminal No. BY WMN=98-210--DEPUTY

MEMORANDUM AND ORDER

On June 19, 2003, Mr. Cook was sentenced to a 240 month term of imprisonment after having pled guilty to Murder in Furtherance of a Conspiracy to Distribute in Excess of Five Kilograms of Cocaine, in violation of 21 U.S.C. § 848(e)(1)(A).

On November 24, 2014, Mr. Cook filed a "Motion for Modification of Sentence Pursuant to 18 U.S.C. § 3582(c)(2) (Retroactive Guideline Amendment 782)." ECF No. 392. The Government opposed the motion, noting that Amendment 782 only had the effect of lowering guideline ranges established pursuant to U.S.S.G. § 2D1.1 (for offenses involving drugs), where Mr. Cook's guideline range was established under U.S.S.G. § 2A1.1 (for offenses involving murder). In addition, the Government notes that Mr. Cook has already been sentenced at the mandatory minimum and, pursuant to U.S.S.G. 1B1.10(b)(2), cannot receive a sentence below that congressionally mandated minimum sentence. Mr. Cook was given 30 days in which to respond to the Government's Opposition, but did not do so.

Upon the conclusion that Mr. Cook is ineligible for a sentence reduction, IT IS this 8th day of October, 2015, by the United States District Court for the District of Maryland,  
ORDERED:

- (1) That Defendant's Motion for Modification of Sentence Pursuant to 18 U.S.C. § 3582(c)(2) (Retroactive Guideline Amendment 782), ECF No. 392, is DENIED; and  
(2) That the Clerk of the Court shall transmit a copy of this Order to Defendant and all counsel of record.

/s/

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William M. Nickerson  
Senior United States District Judge